

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JESUS VASQUEZ MORALES,

Plaintiff,

No. C 10-00308 JSW

v.

MAREN ENGINEERING CORPORATION,
et al.,

Defendants.

ORDER OF REMAND

Federal courts are courts of limited jurisdiction and have a duty to raise and decide issues of subject matter jurisdiction *sua sponte* at any time it appears subject matter jurisdiction may be lacking. Fed. R. Civ. P. 12; *Augustine v. United States*, 704 F.2d 1074, 1077 (9th Cir. 1983). Diversity jurisdiction under 28 U.S.C. § 1332 requires complete diversity of the parties. On November 24, 2010, pursuant to the parties' stipulation, Plaintiff filed an amended complaint adding new defendants who destroyed complete diversity. Due to the lack of complete diversity between the parties, the Court HEREBY REMANDS this action to the Superior Court for the County of San Francisco. The Clerk shall close this Court's file.

IT IS SO ORDERED.

Dated: December 7, 2010


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California

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